

PROPOSED TEMPORARY REGULATIONS OF THE LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

LCB File No. XXXX-XX

Section 1. NAC 288.110 is hereby amended to read as follows:

NAC 288.110 Elections.

1. All elections conducted in accordance with subsection 4 of NRS 288.160 will be conducted under the supervision of the Board or its agent.
2. Any party may be represented at the election by observers selected in accordance with such limitations as the Board may prescribe.
3. Any observer or the Board's agent conducting the election may challenge for good cause the eligibility of any person to vote in the election. The ballots of challenged persons will be impounded.
4. Upon the conclusion of the election, the ballots will be counted in the presence of the parties or their observers and the Board's agent conducting the election. The agent will furnish parties with a tally of the ballots.
5. Except as otherwise provided in this subsection, the ballots must be kept for at least 6 months after an election, after which period the ballots may be destroyed. If a timely objection to the election is filed with the Board or a petition for judicial review concerning the election is filed in district court, the ballots must be kept until after the conclusion of any Board or court proceeding concerning the election.
6. Provisions may be made for a nonunion vote and for linguistic assistance.
7. If the results are inconclusive, the Board will conduct a runoff election.
8. Within 5 days after the election, any party may file with the Board objections to the conduct of the election or conduct affecting the results of the election. The objections must be in writing and

contain a brief statement of facts upon which the objections are based. An ~~sworn~~ original ~~and four~~ ~~copies~~ of the objections must be signed and filed with the Board. The party filing the objections shall serve a copy upon each of the other parties.

9. If challenges which affect the results of the election or objections raise a substantial question which cannot be resolved without a hearing, the Board may issue and serve notice of a hearing on these issues.

10. An employee organization will be considered the exclusive bargaining agent for employees within a bargaining unit, pursuant to an election, if:

- (a) Challenged ballots are insufficient in number to affect the results;
- (b) No runoff election is to be held;
- (c) No timely objections are filed; and
- (d) *Either (i) the ~~The~~ election demonstrates that the employee organization is supported by a majority of the employees within the particular bargaining unit; or (ii) the employee organization that received a majority of votes cast in either an initial or runoff election submits to the Board after the election a verified membership list showing that a majority of the employees in the bargaining unit are members of the employee organization.*